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**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

# Written statement* submitted by the Human Rights League of the Horn of Africa, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 May 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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# (Human Rights in Ethiopia)

HRLHA is a non-political organization which attempts to challenge human rights abuses suffered by the peoples of various nations and nationalities in the Horn of Africa. HRLHA is aimed at defending fundamental human rights including freedoms of thought, expression, movement and organization. It is also aimed at raising the awareness of individuals about their own basic human rights and that of others. It focuses on the observances as well as the due processes of law. It promotes the growth and development of free and vigorous civil societies.

## Executive Summary

This report covers mainly the gross human right violations in Ethiopia that have happened in the past twenty- three years in general, and the current human rights crisis in the Regional State of Oromia in Ethiopia in particular.

The EPRDF/TPLF Government has committed gross human rights violations against the people of Ethiopia since it came to power in 1991 after toppling the dictatorial Dergue regime, contrary to the constitution of Ethiopia (1995) and international human rights treaties it has signed and rectified. It has continued to suppress the freedom expression, political and civil rights and, as a result, has sent dozen of journalists, bloggers, and hundreds of leaders and members of opposition political parties to jail. In violations of the right to protest and demonstrations, peaceful demonstrators have been shot at and killed, kidnapped and disappeared; hundreds have been arrested in mass and detained. A good case in point is the most recent very violent attack against unarmed and peaceful protestors of Oromo students of universities, colleges, and high schools in the regional state of Oromia.

## Methodology

The information in this report is mainly based on HRLHA's reports on human rights violations in Ethiopia as well as reports from other sources such as various international human rights organizations and civil society groups, and the US State Department annual country report of 2013.

## Violations of Fundamental Rights

The current EPRDF government claims that the basic and fundamental rights of the citizens are respected in Ethiopia, and that the country is heading towards democracy. However, on the contrary, the basic and fundamental rights of citizens enshrined in the Ethiopian Constitution of 1995, under Chapter three (*fundamental rights and freedoms, articles 13-28 and democratic rights ,articles 29-44*)[1] which guarantees civil liberty and life in peace and harmony has been extremely violated. In the above articles are included individuals and common rights, such as equality before the law, freedom of speech and expression, freedom of association and peaceful assembly, freedom to

[1] Constitution of the Federal Democratic Republic of Ethiopia 1995, http://www.wipo.int/wipolex/en/text.jsp?file_id=193667

practice religion. All are highlighted on paper only for the political consumption. In other words they are used as a cover-up for the gross violations of human rights..

## Democratic Rights

After the first global expression of rights, the Universal Declaration of Human Rights, to which all human beings are inherently entitled, has been adopted by the United Nations General Assembly in 1948. The international, regional and national documents were created to enforce the promotion of the rights enshrined in the declaration. Peaceful assembly (Article 20(1)) in the UDHR, while often characterized by marches, rallies and mass demonstration, which obviously involves the presence of a number of individuals in the public places, has been echoed in international law, regional standards, and national constitutions throughout the world.

It becomes customary that in different parts of the world people are expressing their grievances/ dissatisfactions and complaints against their governments by peaceful demonstrations and assemblies. When such nonviolent and peaceful civil rallies are taking, place it should always be the state's responsibility to respect and guard their citizens' freedom of peaceful assembly and demonstration. These responsibilities also should apply even during times of political protest, when a state's power is questioned, challenged, or perhaps undermined by assemblies of citizens practicing in nonviolent resistance.

The 1995 Constitution of the Federal Democratic Republic of Ethiopia, articles 29 and 30 also grant these democratic rights to the Ethiopian citizens without distinction[2]. The Right of Thought, Opinion and Expression, The Right of Assembly, Demonstration and Petition are the rights of Ethiopian citizens through which they can express their opinions and dissatisfactions with the performances and activities of their government

However, in the past two decades the current Ethiopian government proved that peaceful assemblies and demonstrations, expression of thoughts are not tolerated. Since the current government came to power in 1991, thousands of citizens who held political agenda different from the ruling party's were systematically jailed, abducted or killed. Those who criticized the government of Ethiopia including journalists, bloggers, universities and high school students and teachers who took to streets to demand their rights peacefully were beaten, arrested and detained or killed. The Human Rights League of the Horn of Africa has been reporting in different ways on the systematic human rights violations by the Ethiopian government and its security agents against peaceful demonstrators. These include the recent case of Oromo students from different universities and colleges. The Oromo students were discriminately targeted particularly in the past six years[3]. The current political crises in Oromia regional state of Ethiopia is the continuation of

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[2] Constitution of the Federal Democratic Republic of Ethiopia 1995, http://www.wipo.int/wipolex/en/text.jsp?file_id=193667

[3] http://humanrightsleague.com/2014/03/14033/, http://humanrightsleague.com/2013/03/ethiopia-academic-institutions-are-meant-to-teach-not-to-serve-as-political-tools/, http://humanrightsleague.com/2013/01/ethiopia-beatings-arrests-and-detentions-at-addis-ababa-university/
http://humanrightsleague.com/2012/02/widespread-violence-against-students-in-ethiopia/, http://humanrightsleague.com/2012/01/continued-violence-in-academic-institutions/

the above facts. Peaceful protests against the so called the Master plan of Addis Ababa, which is likely to cause the estimated eviction of around 6 million Oromo peasants around the area and planed to be sold to the wealthy non-Oromos, should not be considered as a criminal activity. Instead it should be tolerated and be considered as one of the ways that the citizens can express their thoughts and concerns on the development plan of the government in which they were not consulted and did not give their consent.

The Addis Ababa Expansion-related protests quickly spread around universities, colleges and high schools all over Oromia. And in response, contrary to the provisions in the constitution of the land and international basic and fundamental rights of the citizens, the Ethiopian government launched a brutal crackdown against peacefully demonstrating Oromo students in order to freeze the peaceful demand of the protestors. As a result of this brutal crackdown by special squads, more than 36 students were killed, hundreds wounded and thousands of others arrested and thrown into detentions. The protest against the expansion of Addis Ababa was not limited to students only, but also involved city dwellers, farmers and workers in Oromia. The most affected area was the Ambo Town and its surroundings where 16 University and high school students were killed, including the eight (8) year old boy.

The Ethiopian Government's atrocities that targeted the Oromo nation during the nationwide protest from April 24 to May 24, 2014 have been condemned by worldwide human rights organizations, public media, and other civic organizations..

The Human Rights Watch[4], Amnesty International[5], Oromia Suport Group[6], Human Rights League of the Horn of Africa[7], The guardian[8], BBC[9] , CNN[10] and The Create Trust[11] are among the organizations which condemn and reported the crime against humanity taken against the Oromo nation by Ethiopian armed force.

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http://humanrightsleague.com/2011/08/kidnappings-and-disappearances-of-university-students/
http://humanrightsleague.com/2011/05/ethiopia-a-generation-targeted-the-futures-of-a-nation-at-risk/#respond
http://humanrightsleague.com/2011/04/ethiopia-human-rights-league-of-the-horn-of-africahrlha-urgent-action-and-appeal-2/

[4] Ethiopia: Brutal Crackdown on Protests, http://www.hrw.org/news/2014/05/05/ethiopia-brutal-crackdown-protests

[5] ETHIOPIA: AUTHORITIES MUST PROVIDE JUSTICE FOR SCORES OF PROTESTERS KILLED, INJURED AND ARRESTED IN OROMIA, HTTP://WWW.AMNESTY.ORG/EN/LIBRARY/INFO/AFR25/002/2014/EN

[6] Press Release from the Oromia Support Group (OSG) on the Oromo demonstrators arrested, beaten and shot dead by the Ethiopian Agazi Security Forces, **7 May 2014,** http://ayyaantuu.com/human-rights/press-release-from-the-oromia-support-group-osg-on-the-oromo-demonstrators-arrested-beaten-and-shot-dead-by-the-ethiopian-agazi-security-forces/

[7]Ethiopia: Ambo under Siege, Daily Activities Paralyzed HRLHA Urgent Action, 13 May, 2014
http://humanrightsleague.com/2014/05/ethiopia-ambo-under-siege-daily-activities-paralyzed-hrlha-urgent-action/
-ETHIOPIA: Region-Wide, Heavy-Handed Crackdown on Peaceful Protesters HRLHA Urgent Action, May 01, 2014
http://humanrightsleague.com/2014/05/ethiopia-region-wide-heavy-handed-crackdown-on-peaceful-protesters-hrlha-urgent-action/
-Ethiopia: Worrisome Situations in Detention Centres HRLHA - Urgent Action, May 24, 2014

http://humanrightsleague.com/2014/05/ethiopia-worrisome-situations-in-detention-centres-hrlha-urgent-action/

[8] Ethiopia crackdown on student protests taints higher education success, http://www.theguardian.com/global-development/poverty-matters/2014/may/22/ethiopia-crackdown-student-protest-education

The Ethiopian Government has repeatedly implemented various excessive forces to dissolve peaceful protests in violations of international treaties it has signed and ratified. The responses to legal, constitutional and peaceful protests should not include actions that violate human rights, such as arbitrary arrests and detentions, even guns or other violence. HRLH believes many atrocities, that were not reported on due to the tight controls, restrictions, and censorships on all local and international media, are taking place. The Ethiopian Government does not have any justification for the illegality of the protests for taking such brutal action against peaceful and unarmed students and other protestors. An illegal protest may happen if the protest becomes violent or is in violation of the state's laws of public order and civility.

Even if some peaceful protests include deliberate acts of civil disobedience, in which case it is permissible for states to make individual arrests of law offenders. However, as recognized by an HRC panel discussion on the matter (A/HRC 19/40)[12], the increasing use of criminal law against protest participants may ultimately contradict the states' responsibility to uphold the right to peaceful assembly. In this situation the Ethiopian Government clearly violated the right to legal peaceful protest.

## Recommendation:

1. The Ethiopian Government first of all must respect and implement the rights of citizens enshrined in the constitution of the country (1995) and enforce the Ethiopian penal code of 2004

[9] Ethiopia protest: Ambo students killed in Oromia state, http://www.bbc.com/news/world-africa-27251331

[10] Ethiopian Security Forces Open Fire on Students, http://ireport.cnn.com/docs/DOC-1125264

[11] When Enough is Enough: Rise up People of Ethiopia, May 23, 2014
http://thecreatetrust.org/

[12] Summary of the Human Rights Council panel discussion on the promotion and protection of human rights in the context of peaceful protests prepared by the Office of the United Nations High Commissioner for Human Rights
http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-40_en.pdf

2. Ethiopia must avoid an excessive force in response to Oromo protests

3. The Ethiopian Government must abide by all international human rights instruments to which the country is a signatory

4. The Ethiopian Government must **allow** a fully **independent**, civilian-led **investigation** into the death of Oromo students and civilians including gross human rights violation in Oromia.